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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 **ONOFRE TOMMY SERRANO,**) **NO. CV 22-4574 VBF (KS)**
10 Petitioner,)
11 **v.**)
12 **ROBERT G. LUNA,**)
13 Respondent.)
14)
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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition for Writ
18 of Habeas Corpus by a Person in State Custody filed under 28 U.S.C. § 2254, the Motion to
19 Dismiss filed by Respondent, all of the records herein, the Report and Recommendation of
20 United States Magistrate Judge (“Report”), and Petitioner’s Objections to the Report. Having
21 completed its review, the Court accepts the findings and recommendations set forth in the
22 Report. Accordingly, IT IS ORDERED that Judgment shall be entered denying the First
23 Amended Petition and dismissing this action without prejudice.

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25 DATED: September 29, 2023

Valerie Baker Fairbank

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27 **VALERIE BAKER FAIRBANK**
28 SENIOR UNITED STATES DISTRICT JUDGE